

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Diana Townsend	Team: Squad #7	CCRB Case #: 201602007	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 03/04/2016 4:00 PM	Location of Incident: § 87(2)(b)	Precinct: 52	18 Mo. SOL 9/4/2017	EO SOL 9/4/2017	
Date/Time CV Reported Fri, 03/04/2016 4:31 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 03/10/2016 1:32 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. SGT Angel Crespo	3472	944472	052 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POF Deborah Henriquez	21981	933843	052 PCT

Officer(s)	Allegation	Investigator Recommendation
A.SGT Angel Crespo	Discourtesy: Sergeant Angel Crespo spoke discourteously to § 87(2)(b) at § 87(2)(b) in the Bronx.	§ 87(2)(b)
B.SGT Angel Crespo	Abuse: Sergeant Angel Crespo threatened to damage § 87(2)(b)'s property over the phone.	§ 87(2)(b)
C.SGT Angel Crespo	Abuse: Sergeant Angel Crespo threatened to notify Administration for Children's Services over the phone.	§ 87(2)(b)

Case Summary

On March 4, 2016, § 87(2)(b) filed this complaint with IAB via phone, generating original IAB log 16-7875 (Board Review 01). This case was received at the CCRB on March 10, 2016 (Board Review 02).

On March 4, 2016, Sgt. Angel Crespo and PO Deborah Henriquez from the 52nd Precinct Domestic Violence Unit, arrived at § 87(2)(b), in the Bronx, to conduct a home visit with § 87(2)(b) § 87(2)(b). § 87(2)(b) has had periodic contact with Sgt. Crespo § 87(2)(b).

§ 87(2)(b) (Board Review 03). The officers knocked on the door for approximately ten minutes, but § 87(2)(b) did not answer. Sgt. Crespo allegedly yelled, "Open the fucking door," through the closed door (**Allegation A**). After Sgt. Crespo left the location, § 87(2)(b) contacted him on his cell phone to tell him that she no longer wanted any involvement with the Domestic Violence Unit. During this call, Sgt. Crespo allegedly threatened to shoot her pet dog and call the Administration for Child Services (ACS) (**Allegations B and C**). No summons or arrests resulted from this incident. There was no video footage that captured this incident.

This case was originally assigned to Investigator Ana Luisa Crivorot, and on April 18, 2016, the case was reassigned to Investigative Manager Diana Murray.

Mediation, Civil and Criminal Histories

- § 87(2)(b) rejected mediation.
- A request to determine whether a Notice of Claim exists for this incident was submitted to the New York City Law Department on May 2, 2016 (Board Review 04). The results are pending.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Civilian and Officer CCRB Histories

- § 87(2)(b) has one prior CCRB complaint, § 87(2)(b).
- Sgt. Crespo has been a member of the service for eight years and has been the subject of ten prior allegations stemming from five cases. No allegations have been substantiated against him; four of the ten prior allegations are discourtesy allegations.

Potential Issues

- On March 16, 2016, § 87(2)(b) was interviewed at the CCRB and alleged that there were three incident dates (Board Review 07); however, on March 23, 2016, § 87(2)(b) provided a phone statement about this incident and indicated that there were only two incident dates, one of which she was not actually present for, but involved her mother, § 87(2)(b) (Board Review 08).
- Between March 21, 2016, and April 4, 2016, attempts were made to reach § 87(2)(b) via phone, resulting in five voicemail messages and two conversations. § 87(2)(b) missed one appointment without calling to cancel or reschedule, and did not respond to

subsequent contact attempts. Two letters and one e-mail were sent to her confirmed residence and e-mail address, and neither correspondence has been returned as of the writing of this report. Since § 87(2)(b) was uncooperative in providing a sworn statement about the second incident on an unknown date, which § 87(2)(b) was not present for, this portion of the complaint was not investigated.

Findings and Recommendations

Allegation A -Discourtesy: Sergeant Angel Crespo spoke discourteously to § 87(2)(b) at § 87(2)(b), in the Bronx.

Allegation B –Abuse of Authority: Sergeant Angel Crespo threatened to damage § 87(2)(b)s property over the phone.

It is undisputed that Sgt. Crespo knocked on § 87(2)(b)s apartment door for approximately ten minutes in an apparent attempt to § 87(2)(b) ensure that she was not injured. It is also undisputed that § 87(2)(b) did not open the door, and § 87(2)(b) and Sgt. Crespo subsequently spoke on the phone.

§ 87(2)(b) filed this complaint on March 4, 2016, provided an in-person statement on March 16, 2016, and provided follow-up information via phone on March 23, 2016 (Board Reviews 02, 07, 08). § 87(2)(g). Collectively, § 87(2)(b) alleged that while knocking on the door, Sgt. Crespo stated, “Open the fucking door,” approximately two to three times. After Sgt. Crespo left the location, § 87(2)(b) contacted him on his cell phone and informed him that she no longer wanted any involvement with the Domestic Violence Unit. During this phone call, Sgt. Crespo allegedly threatened to shoot § 87(2)(b)s dog. § 87(2)(b) was consistent in her initial filing and her in-person statement that Sgt. Crespo stated, “Open the fucking door,” but she did not mention this allegation in the follow-up phone call. Similarly, § 87(2)(b) did not mention Sgt. Crespo’s threat to shoot her dog in her initial filing or her in-person statement, but she did mention it in the follow-up phone call.

Sgt. Crespo and PO Henriquez, who confirmed their presence at the location during this incident, both denied that Sgt. Crespo made any statements through the door, or any profane statements, including, “Open the fucking door.” Sgt. Crespo and PO Henriquez both acknowledged that a dog was present inside of the apartment, as they heard the dog barking, but both officers denied that Sgt. Crespo ever threatened to shoot the dog (Board Review 11, 12).

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Allegation C – Abuse of Authority: Sergeant Angel Crespo threatened to notify Administration for Children's Services over the phone.

It is undisputed that during a phone call between Sgt. Crespo and § 87(2)(b) Sgt. Crespo mentioned ACS.

§ 87(2)(b) alleged that Sgt. Crespo threatened to call ACS during their phone call, but did not provide any context as to the wording or apparent motivation behind the threat. During this same call, § 87(2)(b) acknowledged that Sgt. Crespo mentioned § 87(2)(b) as the reason for his repeated home visits and phone calls to § 87(2)(b).

Sgt. Crespo confirmed that, during a phone call with § 87(2)(b) he informed her that if she refused to cooperate with § 87(2)(b) by showing proof of her children and her own wellbeing, he would have ACS come to her apartment to check on her children. Sgt. Crespo explained that, § 87(2)(b)

§ 87(2)(b) has not been apprehended. His sole intention upon arriving at § 87(2)(b)'s apartment was to conduct a home visit and verify that § 87(2)(b) and her children do not have physical injuries on them from § 87(2)(b). However, during recent attempts to establish contact with § 87(2)(b) she would either not open the door, or only speak to him on the phone.

PO Henriquez stated that, although she was with Sgt. Crespo at the time the phone call would have occurred, she had no knowledge of any phone conversation between Sgt. Crespo and § 87(2)(b) and did not hear Sgt. Crespo threaten to contact ACS, or ever mention ACS to § 87(2)(b). PO Henriquez acknowledged § 87(2)(b)'s extensive criminal history and identified him as being on the top ten most wanted list at the 52nd Precinct.

According to the RTCC Snapshot regarding § 87(2)(b)'s prior involvement with the NYPD, he has been arrested 18 times – many of which involve loaded firearms and narcotics charges – he has been reported for domestic abuse seven times, and has had six warrants issued for his arrest (Board Review 09).

Officers should notify ACS when their investigation determines a guardian imminently causes danger to, or otherwise impairs, the physical, mental or emotional wellbeing of a person under 18 years of age. Patrol Guide, Procedure 215-03 (Board Review 10).

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Squad: 07

Investigator: _____
Signature Print Date

Squad Leader: _____
Title/Signature Diana P. Murray Print Date

Reviewer: _____
Title/Signature Print Date